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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,441	08/22/2000	Kenichi Hasegawa	FUJR-17.570	8381
26304	7590	10/29/2003	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			NGUYEN, HANH N	
			ART UNIT	PAPER NUMBER
			2662	4

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/643,441

Applicant(s)

HASEGAWA ET AL.

Examiner

Hanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 0 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Application filed on 8/22/00.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 USC 102(b) as being anticipated by **Asai** (US Pat. No. 5,402,414).

In claim 1, **Asai** discloses, in Fig.7, adder A1 adding signals from orderwire line L1, telephone; adder A2 adding signals from orderwire line L2, telephone; and adder A3 adding signals from orderwire lines L1, L2 ( a plurality of mixers mixing signals together). See col.6, lines 47-52 and lines 10-15. A control circuit 17 performs calls-in and calls-out operations via switches S1, S2 as well as adders A1, A2, A3 to detect calls from stations (combination control means for controlling combinations of orderwire signals to be mixed). See col.6, lines 25-45.

In claims 2 and 3, **Asai** discloses, in Fig.7, station SA comprising a Codec 13W that performs analog/digital conversion ( mixing means add up signals in digital fashion). See col.5, lines 65-67.

In claim 4, **Asai** discloses, in Fig.8, station SA adds signals sent from stations SB, SC, SD, SE which form a ring network (mixing means mix orderwire signals sent from network elements in at least one ring network). See col.7, lines 1-20.

In claim 5, the limitation of this claim has been addressed in claims 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 7 and 9 are rejected under 35 USC 103(a) as being unpatentable over **Asai** (US Pat. No. 5,402,414).

In claim 7, **Asai** discloses, in Fig.7, station SA comprising adder A1 adding signals from orderwire line L1, telephone; adder A2 adding signals from orderwire line L2, telephone; and adder A3 adding signals from orderwire lines L1, L2 ( a plurality of mixers mixing signals together). See col.6, lines 47-52 and lines 10-15. A control circuit 17 performs calls-in and calls-out operations via switches S1, S2 as well as adders A1, A2, A3 to detect calls from stations (combination control means for controlling combinations of orderwire signals to be mixed). See col.6, lines 25-45. The station SA is connected to a ring of interconnected stations SB, SC, SD and SE (a ring network comprising a plurality of interconnected nodes). See Fig.8. **Asai** does not disclose a plurality of ring networks. However, it is a well-known skill in the art to connect the station SA to more than one ring of networks. Therefore, it would have been obvious to have a plurality of ring networks connecting the station SA in order to provide voice between networks.

In claim 8, the limitation of this claim has been addressed in claim 5.

In claims 6 and 9, **Asai** does not disclose orderwire signals produced in two ring networks will be shared by said two ring networks. It is well known skill in that art when another

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ring network is coupled to an existing ring network of **Asai**, then orderwire signals will be shared within the ring network. Therefore, depending on applications, when more than one ring networks are coupled in **Asai**, orderwire signals will be shared within the coupled ring networks.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dombrowski et al. (US Pat. No. 6,632,032 B1) discloses Remote Data Network Access in a Communication Network Utilizing Overhead Channels.

Waschka, Jr. (US Pat. No. 4,449,247) discloses Local Orderwire Facility for Fiber Optic Communication System.

Naiman et al. (US Pat. No. 4,621,357) discloses Time Division Switching System Control Arrangement and Method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 703 306-5445. The examiner can normally be reached on Monday-Friday 8:30 AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703 306-4744. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-3988 for regular communications and 703 308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.

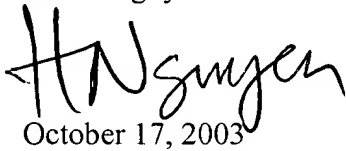
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Fax number: 703 872-9314

Hanh Nguyen

A handwritten signature in black ink, appearing to read 'HNguyen', written over the printed name and date.

October 17, 2003